1881-011 Chancery Causes: Adm. of John A. Simpson vs. William Parrott & wife &c
Lee Co.

Hambelen, McLin, Robinson, Cox, McKinzie, Overton, Hamblin, Burns

-Deed

CA-Debt
T-Property

Virginia Lee county to wit

To the honorable Judge of the Lee circuit court, sitting in chancery. The Bill of complaint of your orator Charles F Hamblin Administrator of all and singular the goods chattles, rights and credits of John A Simpson deceased, would most respectfully represent & shew to your honor that at the Term 1870 of the county court of Lee county, ~~recovered a judgment against~~ John A Simpson recovered a Judgment against Lavender N Robinson Stephen Parrott & William Parrott for $1258,21 cents debt, and interest thereon from the 11th of oct 1852 till paid and costs. The foundation of the action in which the Judgment was recovered was a Bond executed to the said Simpson by William Parrott as principal debtor, and Stephen Parrott and L N Robinson as securities for the debt aforesaid, said Bond & Judgment is subject to some small credits endorsed on the Bond & he presumes noted in the Judgment. But for more certainty the Bond and communtus Judgment and proceedings are prayed to be referred to as a part of this Bill copies whereof will be filed in due time, your orator further represents said Judgment was duly docketed on the Judgment docket of Lee county Sept

the county court clerks office, which is also
refered to a copy of which will be filed
in due time as a part hereof, your
orator further represents that said
John A Simpson died intestate never
having collected any part of said
judgment and the administration of
his estate was granted to your orator
By an order of the proper court of Lee
county which is also refered to and a
copy of which will be filed as a part
hereof, no part of said judgment has
been paid to your orator, since he
took on himself the Administration
of said estate, He further represents
that just before the said simpson
commenced his suit in which he recovered
his said judgment, the principal
debtor William Parrott to defraud
said simpson & hinder & delay him
in the collection of his debt, made a
deed conveying in trust to one Lipscomb
Parrott Jr. to secure amongst
others a pretended debt he owed his
father in law Caleb Bales, and
soon thereafter and before said
deed of Trust was due, further to
consumate his fraudulent purpose
said Wm Parrott & his father in law
Caleb Bales caused a substituted trustee
to sell a valuable tract of land from
Wm Parrott owned in this county, and
Caleb Bales bought it, and caused it
to be conveyed to his daughter Martha
Parrott for her life with remainder to her
children, and said William Parrott
is now and always has been in the possession of it as he was before the deed of
trust was made, Mrs Wm Parrott has
issue of her marriage with Wm Parrott,
But he repeates the deed of trust and
the sale under it & purchase by Bales
& conveyance to his daughter, were but
so many steps taken by them to perfect & carry out the fraudulent purpose
of Wm Parrott afresd, And Bales
Mrs Parrott & the trustee Lipscomb
Parrott all had notice of Wm Parrotts
fraudulent intention in making
said conveyance & participated with
him therein. on this bond & the judgment aforesaid is a lien, your
orator further represents, that to defeat
and simpson in the matter of collecting his debt, Stephen Parrott conveyed
in trust to trustee his
lands situate in this county to secure
a pretended debt to said Wm Parrott

Stephen Parrotts lands has not been sold & he is in possession of them, the judgment of said Simpson is also a lien on Stephen Parrotts lands, your ora tor further represents that at the time of and to his death in Feby 1872 Coroner A Robinson owned valuable lands in Lee county on which your orators judgment was & is a lien, But most of his lands have been sold to satisfy the lien of elder judgments in his lifetime, and he died only owned in possession of a little over two hundred acrees that your orators can successfully assert the lien of his judgment on, and of all his lands his widow Mary Robinson who survived him is entitled to dower and is now prosecuting in your honorable court suits to recover, which will only leave about 30 acrees of his land to be presently sold to pay your orators lien aforesaid, your orator represents that said Coroner A Robinson died intestate and your orator was also ordered to Administer his estate But he has no estate subject to Administration, your orator further represents, that the unsold lands of said A Robinson at his death

descended to his heirs at law viz
Wm Robinson, J F Robinson Absalom
Robinson Rachael A Cox late Robinson
who intermarried with George W Cox.
Mary McKinzie late Robinson who
intermarried with George McKinzie,
Elbert A Robinson, Emerson N Robinson
Jr Floyd Robinson, William Robinson
& Henry F Robinson But as before stated
it is incumbered with the dower right
of Mary Robinson the widow of the
decedent, in tender your orator states
that these liens will not in fee yet
rent pay the judgment, and its interest
and costs at law and of this suit,
nor does he believe that the sale of
the fee simple will pay it, and he
feeles sure that if only the estate
for the life of Mr & Mrs Wm Barrett
should be decreed to be sold then
all would not pay it; Therefore
he represents the premises on which his
judgment is a lien are a very slen
der security for his debt interest
& costs, in tender consideration
of the premises, and in as much as
he has no adequate remedy at law
he prays your honor to grant him
relief, he prays that the lands in

the possession of Wm Parrott the principal
sum, be placed in the hands of a
receiver, and rented out pending
this litigation and the rents thus
acquired be appropriated to the
payment of his debt, And that the
Lands of Stephen Parrott be also
rented and the rents thus applied
He prays that dower be assigned to
Mrs Mary Robinson of the valuable
Lands of C A Robinson deceased &
that the residue of the Lands be rented
out and the rents applyed to the
payment of your orators Judgment
aforesaid, On a final hearing he
prays that the conveyance to the wife
of Wm Parrott be set aside for fraud
and that the deed of trust made
By Stephen Parrott Be set aside
for fraud, and that the lands of
Wm Parrott, or whatever interest
your honor may be of opinion he
has therein be first sold to pay your
orators Judgment, as he is the prin-
cipal debtor, after which he prays
that so much of Stephen Parrotts
land Be sold as will pay the rest
of said debt &c. Wm Parrott & him-
self answer it was agreed in trust to

pay a debt of over nine hundred dollars
he pretended to one William, should
there two sales & the rents realized By
the receiver from the rentings herein
Prayed for fail to pay said debt,
then he prays for a sale of so much
of the Robinson lands as will pay
the residue, to that end he makes
William Parrott and his wife Martha
Parrott, and John B Martin who was
substituted as trustee for Wm Parrott
& C Bates in stead of Lipscomb Parrott
& Stephen Parrott, Caleb Bates died
in Tennessee & has no admin known to
your orator, and no heir except Martha
Parrott, he therefore makes the said
Martha Parrott defendant as heir to
Caleb Bates dec, he also makes Wm
Robinson J H Robinson, Absolum
Robinson, Rachael C Cox, and
her husband George W Cox, Mary
McKinzie & her husband George
McKinzie, Elbert C Robinson
Lavender A Robinson, Hiram Robinson
William Robinson, Henry H Robinson
& Mary Robinson defendants to
this Bill, and prays the court to
compell them to answer the same
and to grant him a summons

against them to compell them to answer, and as in duty Bound he will ever pray, &c.

P. C. Johnston & Burns
For Plff's.

C. C. P. Rockbridge
John A. Simpson adm.
vs. } Bill in Chy
Robinson &al.

Virginia, Lee County, to wit:-

This day Wm H Burns personally appeared before me the undersigned clerk of Lee County court, and made oath that Absalom Robinson, Rachael Cox, George W Cox, Mary McKingie, George McKingie, Wm Overton, and Warren Overton are not residents of the state of Virginia.

Given under my hand, this 20th day of March 1873.

James W Orr. Clerk.

C. L. Hamblen Admr &c

vs Affidavit as to —
— nonresidents

Wm Parratt et als.

This deed made this 1st day of June in the year 1870 Between John B. McLin Trustee Substituted in the place of Lipscomb Parrott former the original Trustee in a deed of Trust executed by William Parrott for Securing the payments of the debts therein mentioned due to Caleb Bales and others dated on the 11th day of October 1865 and duly recorded in the Clerks Office of the County Court of Lee County of the first part Witnesseth that the Said Caleb Bales in his lifetime being the highest bidder bought of Said Trustee for which his bid was Two Thousand Dollars and the amount of the principal and Interest of the debt due to Alexander Ewing to be paid by the Said Caleb Bales and the balance of the deed of trust after paying the Two amounts named being due to himself Say Seventeen hundreed fifty nine Dollars and fiftyeight cents at his death Willed the Same to his daughter Martha E. Parrott during her natural life and then to be equally divided amongst her children and the Said Martha E. Parrott of the County of Lee and State of Virginia of the Second part the Said McLin Trustee as aforesaid doth hereby grant bargain Sell and Convey to the Said Martha E Parrott the tract of land in the Said deed of trust mentioned being all the tract of land whereon the Said William Parrott lived at the time of the date of the Said deed of trust and being on the north Side of Powels River in the Said County of Lee in the State of Virginia for the discription and Boundes of Which reference is made to deeds of Conveyance recorded in the Clerks office To have and to hold the Said tract of land with all its appertinances To the Said Martha E. Parrott and her Children forever and the Said McLin as Trustee as aforesaid doth Covenanant Specially the tract of land hereby Conveyed witness the following Signatures and Seals

John B. McLin Late Trustee

State of Virginia)
County of Lee) To wit = I William Johnson Justice for the County aforesaid in the State of Virginia do Certify that John B McLin whos name is Signed to the writing thereto annexed bearing date on the 1st day of June 1870 has acknowledged the same before me in my County aforesaid

Wm Johnson J.P.

Lee County Court Clerks office the 22nd day of August 1870

The foregoing Deed from John B. McLin Truster in the room of Lipscomb Parrott (the original trustee in a Deed of trust executed by William Parrott for Securing the debts therein named due to Caleb Bales & Others) of the one part and Martha E. Parrott of the other part all of the County of Lee and State of Virginia being duly Stamped is admited to record upon the Certificate of a Justice int for the County of Lee and State of Virginia

Teste John B. West Clerk

Acopy Teste — James W. Orr Clerk

(5)

Martha E Parrott
from
Copy of Deed
John B McLin Trustee &c

The Commonwealth of Virginia :

TO THE SHERIFF OF LEE COUNTY—GREETING :

We command you to summon Wm Parrott & Martha Parrott his wife John B. McLain Stephen Parrott Wm Robinson J. H. Robinson Absalom Robinson Rachael O. Cox & her husband George W Cox Mary McKinzie & her husband George McKinzie Elbert O Robinson Cavender H. Robinson Lloyd Robinson William Robinson Jr Henry H. Robinson & Mary Robinson Warren Overton & William Overton

to appear at the clerk's office of the ~~county~~ Circuit court of Lee, at the court house, on the first Monday in February next, being rule day, to answer a bill in chancery exhibited in our said court against them by Charles Litchambler Admr of the estate of John A Simpson Decd

And have then there this writ. Witness JAS. W. ORR, clerk of our said court at the court house, the 6th day of January 1874, in the 98th year of the Commonwealth.

James W. Orr Clerk

A copy Teste James W. Orr Clerk

C. L. Hamblen Admr
vs
Suit in Chancery
Tyn Parrott & Others
February Rules 1874

The Commonwealth of Virginia:

TO THE SHERIFF OF LEE COUNTY—GREETING:

We command you to summon Wm Parratt & Martha Parratt his wife, John B McLin, Stephen Parratt, Wm Robinson, J. F. Robinson, Absalom Robinson, Rachael Olax, & her husband George W Cox, Mary McKinzie & her husband George McKinzie, Elbert O Robinson, Cavender N Robinson, Floyd Robinson, William Robinson, Henry A Robinson & Mary Robinson. Warren Overton & William Overton

to appear at the clerk's office of the ~~county~~ circuit court of Lee, at the court house, on the first Monday in February next, being rule day, to answer a bill in chancery exhibited in our said court against them by Charles L Hamblen Admr of the estate of John A Simpson dec'd

And have then there this writ. Witness JAS. W. ORR, clerk of our said court at the court house, the 6th day of January 1874, in the 98th year of the Commonwealth.

James W Orr. clerk.

(S) B. P.

C. L. Hamblen &c

vs

Bill in Chancery

12 copies

Wm Parrott &c

February Rules 1874

Executed on John B McLin, Stephen Parrott, Wm Robinson, J. F. Robinson & Mary Robinson The other defendants are nonresidents of this State,

Sol. for C. L. Complt

For C L Hamblen Jr & C

(B. B. Robinson minor heir of Hayley F Robinson omitted should be in Bill)

The Commonwealth of Virginia:

TO THE SHERIFF OF LEE COUNTY—GREETING:

We command you to summon Wm. Parrott & Martha Parrott his wife John B. McLin Stephen Parrott Wm Robinson J. H. Robinson Absalom Robinson Rachael Cox and her husband George W. Cox Mary McKinzie & her husband George McKinzie Elliott Robinson Lavender N. Robinson Lloyd Robinson William Robinson Jr Henry H. Robinson & Mary Robinson Warren Overton & William Overton

to appear at the clerk's office of the Circuit county court of Lee, at the court house, on the first Monday in February next, being rule day, to answer a bill in chancery exhibited in our said court against them by Charles L. Hamblen Admr of the estate of John H. Simpson decd

And have then there this writ. Witness JAS. W. ORR, clerk of our said court at the court house, the 6th day of January 1874, in the 98th year of the Commonwealth.

James W. Orr clerk

A copy Test James W. Orr clerk

C. L. Hamblen Admr
vs Ship in Chancery
Wm Parrott & others

February Rules 1874

The Commonwealth of Virginia :

To the Sheriff of Lee **County---Greeting :**

We command you to summon Wm Parrott & Martha Parrott his wife John B McLin Stephen Parrott Wm Robinson J. H. Robinson Absalom Robinson Rachael O. Cox & her husband George W. Cox Mary McKinzie & her husband George McKinzie Elbert O. Robinson Cavender N. Robinson Hloyd Robinson William Robinson Jr Henry H. Robinson Mary Robinson Warren Overton & William Overton

to appear at the clerk's office of the ~~county~~ circuit *court of Lee, at the court-house, on the first Monday in* February *next, being Rule day, to answer* a bill in chancery exhibited in our said court against them by Charles L. Hamblen admx of the estate of John A. Simpson decd

And have then there this writ. Witness Jas. W. Orr, *Clerk of our said court, at the court house, this* 6th *day of* January 187 4 , *in the* 98th *year of the Commonwealth.*

James W. Orr. Clerk

A copy

Teste James W. Orr Clerk

C. L. Hamblen Admr
vs. } Sept in Chancery
Wm Parrott & others
February Rules. 1874

The Commonwealth of Virginia :

TO THE SHERIFF OF LEE COUNTY—GREETING:

We command you to summon Wm Parrott & Martha Parrott his wife John B. McClain Stephen Parrott Wm Robinson J. H. Robinson Absalom Robinson Rachael C. Cox and her husband George W. Cox Mary McKinzie & her husband George McKinzie Elbert O. Robinson Cavender N. Robinson Henry Robinson William Robinson Jr Henry H. Robinson & Mary Robinson Warren Overton & William Overton

to appear at the clerk's office of the Circuit county court of Lee, at the court house, on the first Monday in February next, being rule day, to answer a bill in chancery exhibited in our said court against them by Charles L. Hamblen Admr of the estate of John A. Simpson decd

And have then there this writ. Witness JAS. W. ORR, clerk of our said court at the court house, the 6th day of January 1874, in the 98th year of the Commonwealth.

James W. Orr clerk

A copy

Teste James W. Orr clerk

C L Hamblen Admr

VS } Sup in Chancery

Wm Parrott & others

Feb Rules 1844

The Commonwealth of Virginia :

To the Sheriff of Lee County---Greeting :

We command you to summon Wm Parrott & Martha Parrott his wife John B. McLin Stephen Parrott Wm Robinson J. H. Robinson Absalona Robinson Rachael O Cox & her husband George W. Cox Mary McKinzie & her husband George McKinzie Elbert O. Robinson Cavender N. Robinson Wiley Robinson William Robinson Jr. Henry R. Robinson Mary Robinson Warren Overton & William Overton

to appear at the clerk's office of the ~~county~~ circuit *court of Lee, at the court-house, on the first Monday in* February *next, being Rule day, to answer* a bill in chancery exhibited in our said court against them by Charles L. Hamblen Adm of the estate of John A. Simpson dec'd

And have then there this writ. Witness Jas. W. Orr, *Clerk of our said court, at the court house, this* 6th *day of* January 1874, *in the* 98th *year of the Commonwealth.*

James W. Orr clerk

A copy

Teste James W. Orr clerk

C. L. Hamblen Admx

vs | Sup in Chancery

Wm Parrott & Others

February Rules 1871

The Commonwealth of Virginia :

To the Sheriff of Lee County---Greeting :

We command you to summon Wm. Parrott & Martha Parrott his wife John B. McLin Stephen Parrott Wm Robinson J. H. Robson Absalom Robinson Rachael D. Cox & her husband George W. Cox Mary McKinzie & her husband George McKinzie Elbert D. Robinson Cavender A Robinson Floyd Robinson William Robinson Jr Henry H. Robinson Mary Robinson Warren Overton & William Overton

to appear at the clerk's office of the ~~county~~ circuit *court of Lee, at the court-house, on the first Monday in* February *next, being Rule day, to answer* a bill in Chancery exhibited in our said court against them by Charles L. Hamblen admr of the estate of John A. Simpson decd

And have then there this writ. Witness Jas. W. Orr, *Clerk of our said court, at the court house, this* 6th *day of* January 187[illegible], *in the* 98th *year of the Commonwealth.*

James W. Orr Clerk

A copy Test James W. Orr Clerk

C. L. Hamblen adm'r

vs Sup in Chancery

Wm Parrott & others

February Rules 1874.